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DEC 2 1994

FEDERAL COMMUNICATIONS COMMISSION

December 1, 1994

DOCKET FILE COPY ORIGINAL

1930.003

BY HAND

Mr. William F. Caton, Secretary
Federal Communications Commission
1919 M Street N.W.
Washington, D.C. 20554

RE: Petition for Rulemaking
New FM Broadcast Station
Tompkinsville, Kentucky
Channel 274A

Dear Mr. Caton:

Enclosed please find the original and four (4) copies of a Petition for Rulemaking for filing with the Commission. This Petition is believed to have been filed with the Commission several months ago. However, on review of the Commission's data-bases, it was discovered that there is not yet a reference to the Petition. A copy of a recent study of the Data-World data base showing that the allocation is viable is attached hereto, as is the Petition, including the attached engineering study.

If you should have any questions regarding this matter, kindly direct them to the undersigned.

With kind regards, I am

Sincerely,


Bradford D. Carey

BDC/mv
Enclosures

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DEC 2 1994

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION

In the Matter of)	
)	
Amendment of Section 73.202(b))	RM-
Table of Allotments,)	
Tompkinsville, Kentucky)	
)	

To: Chief Policy & Rules Division, Mass Media Bureau

PETITION FOR RULEMAKING

Falcon Broadcasters, by its Attorneys and pursuant to Section 1.401 et seq. of the Commission's Rules, hereby petitions the Commission to amend Section 73.202(b) of the Table of FM Allotments, to add Channel 274A for use at Tompkinsville, Kentucky. In support whereof, the following is shown:

Frequency studies undertaken on behalf of Falcon Broadcasters demonstrates that Channel 274A may be added at Tompkinsville, Kentucky, in accordance with the Commission's minimum distance separation requirements as specified in Section 73.207 of the Commission's Rules. See Engineering Statement, attached hereto as Exhibit 1. For purposes of its study, Falcon Broadcasters located an area within which transmitters may be located for city-grade service at Tompkinsville.

The proposed service is in the public interest because it will provide a second full-time local aural service to Tompkinsville. As shown in the attached Engineering Statement, the proposal is fully consistent with the Commission's Rules including Section 73.207 and 73.315.¹

Tompkinsville, population 4366,² is presently the community of license of stations WTKY-AM and WTKY-FM. It is clear, therefore, that it qualifies as a licensable community under Commission standards. Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88, 101 (1982).

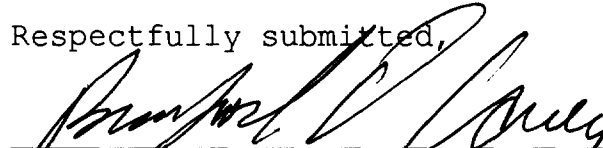
Falcon Broadcasters will file an application for a construction permit to build an FM station at Tompkinsville upon adoption of its proposal by the Commission. If granted a construction permit, Falcon Broadcasters promptly will construct the station and commence operation.

¹On December 1, 1994 the undersigned Counsel reviewed the Data World and the FCC data bases, through Data World, for this proposal. No record of a prior filing of this Petition was revealed. The validity of the proposal was reconfirmed. A copy thereof, attached to this Petition as Exhibit Two, is certified by the undersigned Counsel to be a true and accurate reproduction of the Data World study.

²See 1992 Road Atlas, American Automobile Association.

IN VIEW OF THE ABOVE, Falcon Broadcasters respectfully requests that the Commission amend the FM Table of Allotments to add Channel 274A at Tompkinsville, Kentucky.

Respectfully submitted,



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(504) 830-4646

Attorneys for Falcon Broadcasters

Dated: December 1, 1994

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EXHIBIT ONE

CARL T. JONES
CORPORATION

STATEMENT OF JAMES D. SADLER
IN SUPPORT OF A
PETITION FOR RULEMAKING
REQUESTING AMENDMENT OF SECTION 73.202(B)

Proponent: Falcon Broadcasters

I am a Technical Consultant, an employee in the firm of Carl T. Jones Corporation, with offices located in Springfield, Virginia. My education and experience are a matter of record with the Federal Communications Commission.

This office has been authorized by Falcon Broadcasters to prepare this statement and associated exhibits in support of a Petition for Rulemaking which requests amendment of the FM Table of Allotments, Section 73.202(b) of the FCC Rules, in the following manner:

	<u>Present</u>	<u>Proposed</u>
Tompkinsville, Kentucky	221A	221A, 274A

The allotment of Channel 274A to Tompkinsville, Kentucky, would provide the city with its second full-time local aural service. As shown in the 1990 Census, Tompkinsville is located in Monroe County and has a population of 2,861 persons. Channel 274A can be assigned to Tompkinsville at a site located approximately 12 kilometers southeast of Tompkinsville. A site restriction is necessary to meet the minimum separation requirements with Station WTKY-FM, Tompkinsville, Kentucky.

STATEMENT OF JAMES D. SADLER
PAGE 2

Exhibit 1, herein, is an allocation study performed on channel 274A at Tompkinsville to ensure the allotment would meet the required minimum distance separations with respect to all existing and proposed facilities and assignments. The geographic coordinates used in the study are: 36° 39' 18" North Latitude; 85° 34' 30" West Longitude. A map showing the permissible site area for the allotment is contained herein as Exhibit 2.

Assuming uniform terrain, the 70 dBu contour of a Class A facility (6 kilowatts, 100 meters) extends to a distance of 16.2 kilometers. As indicated on the map in Exhibit 2, the required city coverage of Tompkinsville is easily attainable.

The above statement and associated exhibit were prepared by me or under my direct supervision and are believed to be true and correct.

DATED: May 11, 1994

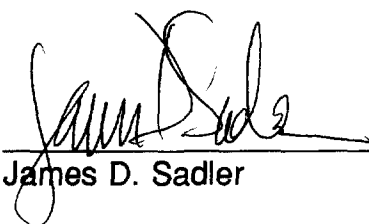

James D. Sadler

EXHIBIT 1

ALLOCATION STUDY
CH. 274A - TOMPKINSVILLE, KENTUCKY

REFERENCE COORDINATES:
36° 39' 18" NORTH LATITUDE
85° 34' 30" WEST LONGITUDE

CHANNEL	STATUS	STATION OR ALLOTMENT	SEPARATION (KM)	
			REQUIRED	ACTUAL
221A	LIC	WTKY-FM, Tompkinsville, KY	10	12.2
271A	CP	WLCT, Lafayette, TN	31	40.9
272A	LIC	WLOC-FM, Munfordville, KY	31	75.2
273C3	CP	WEGE, Crossville, TN	89	103.5
274A	LIC	WEKX, Jellico, TN	115	122.2
274A	LIC	WMQQ, Springfield, KY	115	117.7
275C1	LIC	WYCQ, Shelbyville, TN	133	133.6
276A	LIC	WGRK-FM, Greensburg, KY	31	67.3
277C	LIC	WKDF, Nashville, TN	95	133.4

EXHIBIT 2

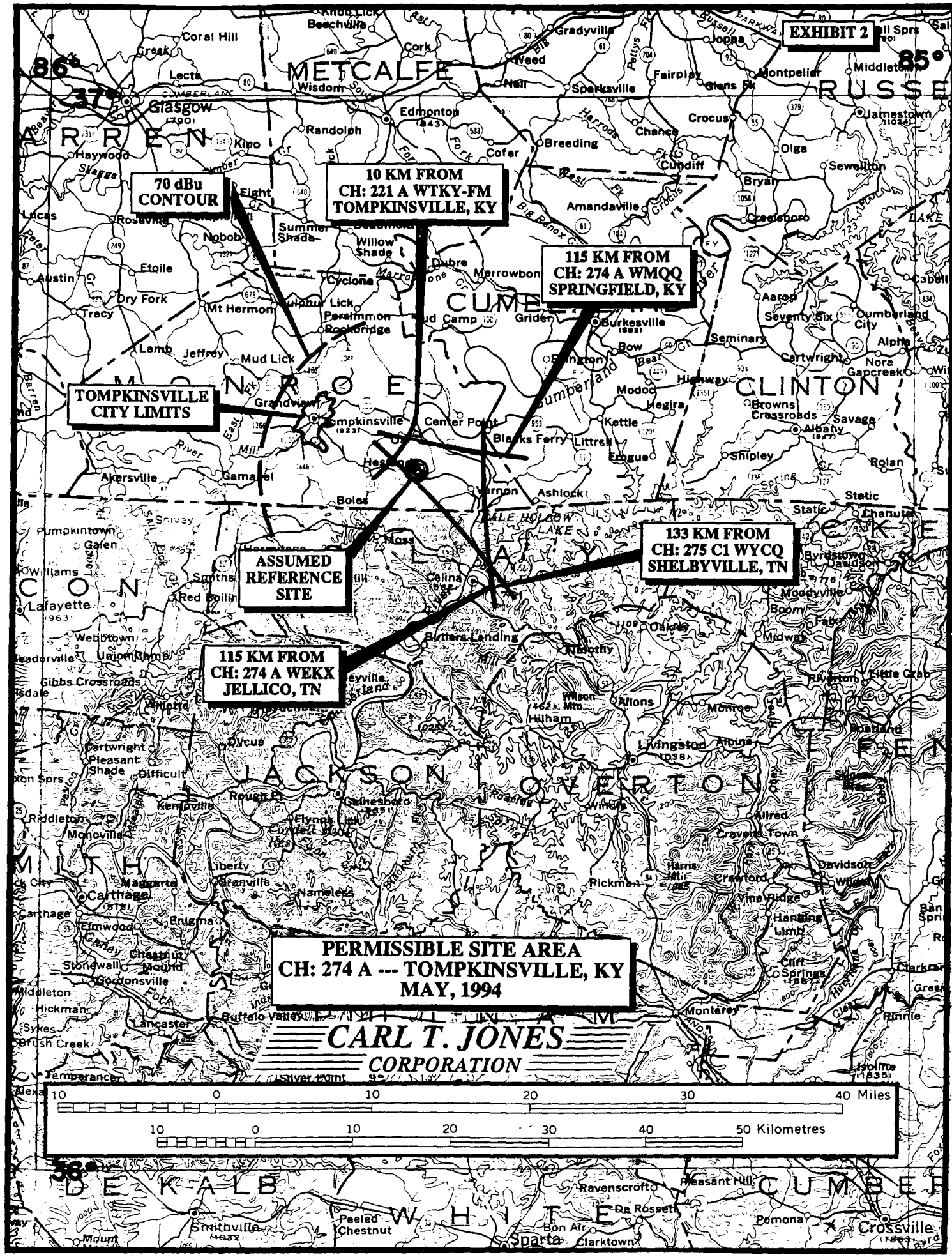


EXHIBIT TWO

HARDY & CAREY
MATAIRIE, LA

Page 1
December 1, 1994

FM Spacing study

Channel 274A (102.7 MHz)
Database: DW 11/23/94

Latitude: 36-39-18
Longitude: 85-34-30
Safety zone: 30 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
WUOT	LIC	UNIVERSITY OF TENNESSEE	*220C	100	36-00-19	115.8	163.6	29
KNOXVILLE	TN	BLH-890201KB	91.9	482BT	83-56-23	296.7	134.6	CLEAR
Affiliated with WUTK(AM)								

WTKY-FM LIC WHITTIMORE ENTERPRISES I 221A 6 36-43-27 309.1 12.22 10
TOMPKINSVILLE KY BLH-920131KD 92.1 100 85-40-53 129.0 2.218 CLOSE
License Granted 06/01/92 per FCC release #21396 dated 06/08/92; Ant: Elec. Res
. Inc. 1105; Affiliated with WTKY(AM)

WLCT CP IVON O. DAVIS 271A 2.50 36-30-50 248.1 41.98 31
LAFAYETTE TN BPH-910819MB 102.1 99 86-00-37 67.9 10.98 CLOSE
CP Granted 12/30/93 per FCC release #21803 dated 01/13/94; Was WAHE 04/01/94 p
er FCC release #227 dated 04/08/94

WLOC-FM LIC SO CENTRAL KENTUCKY BCG 272A 3 37-16-30 336.3 75.23 31
MUNFORDVILLE KY 102.3 30 85-55-00 156.1 44.23 CLEAR
Affiliated with WLOC(AM)

WEGE LIC MOUNTAINTOP BROADCASTERS 273A 6 36-01-22 143.7 87.00 72
CROSSVILLE TN BLH-900611KB 102.5 89 85-00-07 324.0 15.00 CLOSE
Deletion proposed; License Granted 05/01/91 per FCC release #21109 dated 05/09
/91; ORDERED TO 273C3; Call Granted 01/17/90 per FCC release #126 dated 01/26/
90

WEGE CP MOUNTAINTOP BROADCASTERS 273C3 3.16 35-56-38 139.6 103.5 89
CROSSVILLE TN BPH-920327IB 102.5 281 84-49-44 320.0 14.53 CLOSE
DOC-90-388; CP Granted 06/19/92 per FCC release #21414 dated 07/06/92; ORDERED
FROM 273A; Call Granted 01/17/90 per FCC release #126 dated 01/26/90

RM RULE MAKING PETITION 274A 36-33-05 140.3 14.96 115
HILHAM TN DOC-90-388 102.7 85-28-05 320.4 -100 SHORT
Released 12/12/90; DOC-90-388; COUNTERPROPOSAL TO DOC-90-388

WMQQ LIC WASHINGTON-MARION SOUND 274A 1.90 37-41-43 11.0 117.7 115
SPRINGFIELD KY BLH-890224KA 102.7 127 85-19-06 191.2 2.676 CLOSE

WEKX LIC FATE LAMONT MCANALLY 274A .63 36-41-28 87.7 122.2 115
JELLICO TN BLH-930127KD 102.7 307 84-12-31 268.5 7.212 CLOSE
License Granted 05/13/93 per FCC release #21640 dated 05/20/93; Call Granted 0
1/17/92 per FCC release #174 dated 01/17/92; Ant: Shiveley 6813

WXJJ CP WILLIAM S. DAUGHERTY III 275A 3 37-23-29 50.7 130.4 72
MOUNT VERNON KY BMPH-910606IC 102.9 100 84-26-01 231.4 58.36 CLEAR
CP Granted 08/06/92 per FCC release #21445 dated 08/13/92; BPH-941026JA REPL E
XP CP(16039-11/10/94); Call Granted 07/12/90 per FCC release #138 dated 07/13/
90

FM Spacing study

Title: 2115001
Channel 274A (102.7 MHz)

Latitude: 36-39-18
Longitude: 85-34-30

Call City of License	Auth Licensee name St FCC File no.	Chan ERP-kW Freq EAH-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
WYCO SHELBYVILLE	LIC WYCO, INC. TN BLH-890619KD	275C1 100 102.9 247	35-48-01 86-37-17	225.0 44.3	133.6 .584	133 CLOSE
Affiliated with WHAL(AM)						
WYCO SHELBYVILLE	CP WYCO, INC. TN BPH-910716IB	275C1 100 102.9 250	35-48-01 86-37-17	225.0 44.3	133.6 .584	133 CLOSE
CP Granted 11/26/91 per FCC release #21266 dated 12/03/91; BMPH-940926JB EXT G RD 10/27/94(22018-11/7/94); Affiliated with WHAL(AM)						
WCLC-FM JAMESTOWN	LIC JAMESTOWN BROADCASTING C TN BLH-851112KI	276A 1.10 103.1 140	36-26-31 84-55-28	112.0 292.4	62.87 31.87	31 CLEAR
Deletion proposed; ORDERED TO 286A; Affiliated with WCLC(AM)						
WKDF NASHVILLE	LIC DICK BCG CO INC OF NASHV TN BLH-820818AB	277C 100 103.3 376	36-02-08 86-50-56	239.3 58.5	133.4 38.42	95 CLEAR
Affiliated with WKDA(AM)						

>> End of channel 274A study <<

FM Spacing study

Title: 2115001
Channel 274A (102.7 MHz)
Database: FCC 10/25/94

Latitude: 36-39-18
Longitude: 85-34-30
Safety zone: 30 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
WUOT	LIC	The University of Tennes	*220C	100	36-00-19	115.8	163.6	29
Knoxville	TN		91.9	482BT	83-56-23	296.7	134.6	CLEAR
WTKY-FM	LIC	Whittimore Enterprises,	221A	6	36-43-27	309.1	12.22	10
Tompkinsville	KY	BLH-920131KD	92.1	100	85-40-53	129.0	2.218	CLOSE
ALLOC			221A		36-43-27	309.1	12.22	10
Tompkinsville	KY		92.1		85-40-53	129.0	2.218	CLOSE
ALLOC			271A		36-30-45	246.4	39.48	31
Lafayette	TN	DOC-91-271	102.1		85-58-45	66.2	8.476	CLOSE
WLCT	CP	Ivon O. Davis	271A	2.50	36-32-06	251.1	40.93	31
Lafayette	TN	BPH-910819MB	102.1	99	86-00-27	70.8	9.928	CLOSE
PRM	ADD	Commission's Staff	272A		36-33-10	252.2	37.05	31
Lafayette	TN		102.3		85-58-09	72.0	6.045	CLOSE
ALLOC			273C3		36-01-25	143.6	86.94	89
Crossville	TN	DOC-90-388	102.5		85-00-06	324.0	-2.06	SHORT
WEGE	LIC	Audio Broadcasters, Inc.	273A	6	36-01-22	143.7	87.00	72
Crossville	TN	BLH-900611KB	102.5	89	85-00-07	324.0	15.00	CLOSE
WMQQ	LIC	Washington-Marion Sounds	274A	1.90	37-41-43	11.0	117.7	115
Springfield	KY	BLH-890224KA	102.7	127	85-19-06	191.2	2.676	CLOSE
ALLOC			274A		37-41-12	15.2	118.8	115
Springfield	KY	DOC-84-231	102.7		85-13-12	195.4	3.754	CLOSE
Filing window 01/30-03/13/87 **CLOSED**								
WEKX	LIC	Fate Lamont McAnally	274A	.63	36-41-28	87.7	122.2	115
Jellico	TN	BLH-930127KD	102.7	307	84-12-31	268.5	7.212	CLOSE
ALLOC			274A		36-35-18	92.9	129.8	115
Jellico	TN	DOC-84-231	102.7		84-07-36	273.7	14.77	CLOSE
Filing window 01/30-03/13/87 **CLOSED**								
WXJJ	CP	William S. Daugherty, II	275A	3	37-23-29	50.7	130.4	72
Mount Vernon	KY	BPH-930924JC	102.9	100	84-26-01	231.4	58.36	CLEAR
WYCQ	LIC	WYCQ, Inc.	275C1	100	35-48-01	225.0	133.6	133
Shelbyville	TN	BLH-890619KD	102.9	247	86-37-17	44.3	.584	CLOSE
WYCQ	CP	WYCQ, Inc.	275C1	100	35-48-01	225.0	133.6	133
Shelbyville	TN	BPH-940110JA	102.9	250	86-37-17	44.3	.584	CLOSE

FM Spacing study

Title: 2115001
Channel 274A (102.7 MHz)

Latitude: 36-39-18
Longitude: 85-34-30

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
ALLOC			275C1		35-48-01	225.0	133.6	133
Shelbyville	TN		102.9		86-37-17	44.3	.584	CLOSE
WGRK-FM LIC	Veer	Broadcasting Co., I	276A	4.60	37-15-34	4.5	67.28	31
Greensburg	KY	BLH-930604KH	103.1	113	85-30-57	184.5	36.28	CLEAR
ALLOC			277C		36-02-08	239.3	133.4	95
Nashville	TN		103.3		86-50-56	58.5	38.42	CLEAR

>> End of channel 274A study <<